

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

In Re: : Case No. 05-75540  
Jeffrey Francis Howard  
Deborah Sue Howard : Chapter 13 (Judge Caldwell)  
SSN xxx-xx-6012  
SSN xxx-xx-7870 :

**OBJECTION TO PROOF OF CLAIM**

Now comes Frank M. Pees, Chapter 13 Trustee, and objects to Claim #7 of Countrywide Home Loans. Said claim was filed on December 21, 2005 in the amount of \$18,029.16. The Trustee recommends that said claim be allowed as a general unsecured claim for the purpose of distribution.

**MEMORANDUM**

Countrywide Home Loans filed a claim on December 21, 2005 in the amount of \$18,029.16. The claim was filed as secured by a Mortgage and Deed signed on April 15, 2004. The real estate appraisal filed in this case on November 2, 2005 indicates a value of \$83,200.00. The holder of the first mortgage, Countrywide Home Loans, filed a claim on December 21, 2005 in the amount of \$95,930.83. The amount owed on the first mortgage exceeds the value of the real estate, and there is no equity remaining on which the second mortgage could attach. Accordingly, the Trustee recommends that this claim be allowed as a general unsecured claim for the purpose of distribution.

Respectfully submitted,

/s/ Frank M. Pees  
Frank M. Pees  
Chapter 13 Trustee  
130 East Wilson Bridge Road #200  
Worthington, Ohio 43085  
(614) 436-6700  
fmp007@ch13.org

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In Re:	:	Case No. 05-75540
Jeffrey Francis Howard	:	
Deborah Sue Howard	:	Chapter 13 (Judge Caldwell)
1946 Westfield Dr. S.	:	
Columbus, OH 43223	:	
SSN xxx-xx-6012	:	
SSN xxx-xx-7870	:	

**NOTICE OF OBJECTION TO CLAIM**

The Chapter 13 Trustee has filed an objection to your claim in this bankruptcy case.

**Your claim may be reduced, modified or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one.**

If you do not want the court to eliminate or change your claim, then on or before thirty (30) days from the date below, you or your attorney must:

File with the Court a written response to the objection, explaining your position at:

Clerk, U.S. Bankruptcy Court  
170 N. High Street  
Columbus, Ohio 43215

If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before thirty (30) days from the date below.

You must also mail a copy to:

Frank M. Pees  
Chapter 13 Trustee  
130 East Wilson Bridge Road #200  
Worthington, Ohio 43085

Office of the U.S. Trustee  
170 N High Street #200  
Columbus, Ohio 43215

Attend the hearing on the objection, scheduled to be held on \_\_\_\_\_,  
at \_\_\_\_\_ a.m./p.m. in Courtroom \_\_\_\_\_ at :

Clerk, U.S. Bankruptcy Court  
170 N High Street #200  
Columbus, Ohio 43215

If you or your attorney does not take these steps, the court may decide that you do not oppose the objection to your claim.

Date: **February 1, 2006**

Signature: /s/ Frank M. Pees  
Name: Frank M. Pees  
Address: 130 E. Wilson Bridge Road #200  
Worthington, Ohio 43085  
fmp007@ch13.org

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**NOTICE AND CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the attached Objection to Proof of Claim was served this date on the parties whose names and addresses are listed below by regular U.S. mail, postage pre-paid or electronically mailed and for **NOTICE** that the attached request for relief has been filed with the Court. The undersigned will present to the Court a proposed order granting the relief sought unless within thirty (30) days from this date a written memorandum in opposition, on request for a hearing on such opposition, is filed with the Court and served on the undersigned.

Dated: **February 1, 2006**

/s/ Frank M. Pees

Frank M. Pees  
Chapter 13 Trustee  
130 East Wilson Bridge Road #200  
Worthington, Ohio 43085  
(614) 436-6700  
fmp007@ch13.org

**Notice will be electronically mailed to:**

Asst US Trustee (Col)  
ustpreion09.cb.ecf@usdoj.gov

Frank M Pees  
trustee@ch13.org

Samuel L Calig  
calighandelman@ameritech.net

**Regular US mail postage pre-paid:**

Jeffrey Francis Howard  
Deborah Sue Howard  
1946 Westfield Dr. S  
Columbus, OH 43223

Countrywide Home Loans  
400 Countrywide Way  
Mail Stop SV-46  
Simi Valley, CA 93065  
Attn: BK Department